

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

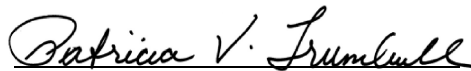
RICK PERRY,	)	Case No.: C 09-3767 PVT
	)	
Plaintiff,	)	<b>ORDER FURTHER CONTINUING</b>
	)	<b>HEARING; AND SOLICITING</b>
v.	)	<b>SUPPLEMENTAL BRIEFING</b>
	)	
T.D. SERVICE COMPANY, et al.,	)	
	)	
Defendants.	)	

On August 24, 2009, Defendants AHMSI Default Services, Inc. and Wells Fargo Bank, N.A. (the "AHMSI Defendants") filed a motion to dismiss.<sup>1</sup> Hearing on the motion was continued to November 17, 2009. After the motion was fully briefed, on November 12, 2009, Plaintiff filed a second amended complaint (the "SAC"). Based on the file herein,

IT IS HEREBY ORDERED that the hearing on Defendants' motion to dismiss and motion to expunge is CONTINUED to December 8, 2009.

IT IS FURTHER ORDERED that, no later than December 1, 2009, the parties shall file simultaneous supplemental briefs addressing whether the SAC moots Defendants' motion to dismiss, and if not, the issues that remain in dispute.

Dated: 11/13/09

  
PATRICIA V. TRUMBULL  
United States Magistrate Judge

<sup>1</sup> The holding of this court is limited to the facts and the particular circumstances underlying the present motion.